

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Christopher C. Tindell
aka Christopher C. Tindell Sr.
Debtor(s)

Bankruptcy Case No.: 18-24237-CMB
Per December 5, 2019 Proceeding
Chapter: 13
Docket No.: 39 – 5, 35
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated October 25, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: PA Rev (Cl #3), IRS (Cl #1), Ohio Dept. of Taxation (Cl #11) .
- ☒ H. Additional Terms: The estimated pool of funds available to be paid to general unsecured creditors and estimated percentage dividend are revised to \$21,975.00 (22%).

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: December 10, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 6
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Christopher C. Tindell
 Debtor

Case No. 18-24237-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: gamr
 Form ID: 149

Page 1 of 3
 Total Noticed: 49

Date Rcvd: Dec 10, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 12, 2019.

db +Christopher C. Tindell, 3400 Tuscarawas Road, Beaver, PA 15009-9151
 cr +Citizens Bank of Pennsylvania, 525 William Penn Place, Pittsburgh, PA 15219-1727
 cr +U.S. Bank National Association, RAS Citron, LLC, 130 Clinton Road, Suite 202,
 Fairfield, NJ 07004-2927
 14940587 +Aramark, 2680 Palumbo Drive, Lexington, KY 40509-1234
 14982541 Beaver County Area School District, c/o Berkheimer, 50 North 7th St.,
 Bangor, PA 18013-1798
 14982542 +Beaver SD/Brighton Township, 103 S. Duffy Road, Butler, PA 16001-2406
 14940588 Beaver Township, c/o Berheimer Tax Administrator, PO Box 25158,
 Lehigh Valley, PA 18002-5158
 14940589 +Beaver Township, c/o Berkheimer Tax Administrator, PO Box 25158,
 Lehigh Valley, PA 18002-5158
 14940590 +C. Tindell Transportation, LLC, 3400 Tuscarawas Road, Beaver, PA 15009-9151
 14975120 +Chase Bank USA, N.A., c/o Robertson, Anschutz & Schneid, P.L.,
 6409 Congress Avenue, Suite 100, Boca Raton, FL 33487-2853
 14940605 +Chase Card Services, Correspondence Dept, Po Box 15298, Wilmington, DE 19850-5298
 14940604 +Chase Card Services, Po Box 15298, Wilmington, DE 19850-5298
 14940606 +Citicards, Po Box 6241, Sioux Falls, SD 57117-6241
 14940607 +Citicards, Citicorp Credit Services/Attn: Centraliz, Po Box 790040,
 Saint Louis, MO 63179-0040
 14940608 +Citizens Bank of Pennsylvania, One Citizens Way, Johnston, RI 02919-1922
 14982543 +Cresthill Capital LLC, Attn: Philip Scaglione, 315 Madison Avenue, Suite 4026,
 New York, NY 10017-5457
 14982544 +Humphrey Transportation Compliance, LLC, PO Box 482, Holland, OH 43528-0482
 14940612 +Lisa Tindell, 3400 Tuscarawas Road, Beaver, PA 15009-9151
 14940614 Mack Financial Services, c/o Citi Bank, PO Box 7247-0236, Philadelphia, PA 19170-0236
 14946250 +Marecic Mechanical Repair, 345 Colonial St, Fallston, PA 15066-3003
 14940615 +Marecic Mechanical Repair, 345 Colonial Street, New Brighton, PA 15066-3003
 14940620 +Pennsylvania Department of, Labor & Industry, c/o Office of Chief Counsel,
 914 Penn Avenue 6th Floor, Pittsburgh, PA 15222-3713
 14940621 +Pennsylvania Department of Revenue, Tax payer Services, PO Box 281041,
 Harrisburg, PA 17128-1041
 14940622 Pennsylvania Department of Revenue, PO Box 280401, Harrisburg, PA 17128-0401
 14975771 +PennyMac Loan Services, LLC, P.O. Box 2410, Moorpark, CA 93020-2410
 14940624 +Pennymac Loan Services, Attn: Bankruptcy, Po Box 514387, Los Angeles, CA 90051-4387
 14940623 +Pennymac Loan Services, 6101 Condor Dr, Moorpark, CA 93021-2602
 14940625 +Pilot Travel Center, 5508 Lonas Drive, Knoxville, TN 37909-3221
 14974743 ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229
 (address filed with court: U.S. Bank National Association, Bankruptcy Department,
 PO Box 5229, Cincinnati, Ohio 45201-5229)
 14940630 +Visa Dept Store National Bank/Macy's, Po Box 8218, Mason, OH 45040-8218
 14940631 +Visa Dept Store National Bank/Macy's, Attn: Bankruptcy, Po Box 8053, Mason, OH 45040-8053
 14940632 +Ziegler Tire, 4150 Millennium Blvd., Massillon, OH 44646-7449

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14940602 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Dec 11 2019 03:22:16 Capital One,
 15000 Capital One Dr, Richmond, VA 23238
 14940603 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Dec 11 2019 03:21:47 Capital One,
 Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 14976427 E-mail/Text: bnc-quantum@quantum3group.com Dec 11 2019 03:18:19
 Department Stores National Bank, c/o Quantum3 Group LLC, PO Box 657,
 Kirkland, WA 98083-0657
 14972650 +E-mail/Text: kbarkley@bernsteinlaw.com Dec 11 2019 03:19:11 Duquesne Light Company,
 c/o Bernstein-Barkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 14940609 +E-mail/Text: updates@brennanclark.com Dec 11 2019 03:19:01 Erie Insurance Company,
 c/o Brennan & Clark, 721 East Madison Street, Villa Park, IL 60181-3084
 14940610 E-mail/Text: cio.bncmail@irs.gov Dec 11 2019 03:18:06 Internal Revenue Service,
 PO Box 7346, Philadelphia, PA 19101-7346
 14972672 E-mail/PDF: resurgentbknofications@resurgent.com Dec 11 2019 03:21:56 LVNV Funding, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14982545 +E-mail/Text: n.gong@mantisfunding.com Dec 11 2019 03:17:51 Mantis Funding, LLC,
 64 Beaver Street, New York, NY 10004-2508
 14940618 E-mail/Text: rfrench@thebank.com Dec 11 2019 03:18:59 Nextier Bank, PO Box 1232,
 Butler, PA 16003
 14982546 +E-mail/Text: bankruptcy_notifications@ccsusa.com Dec 11 2019 03:19:21 Nationwide Insurance,
 c/o Credit Collection Services, PO Box 607, Norwood, MA 02062-0607
 14940616 +E-mail/Text: nhc@nhchome.com Dec 11 2019 03:17:56 Natl Hosp Collections,
 16 Distributor Dr Ste 2, Morgantown, WV 26501-7209
 14940617 +E-mail/Text: nhc@nhchome.com Dec 11 2019 03:17:56 Natl Hosp Collections, Attn: Bankruptcy,
 16 Distributor Dr., Ste 2, Morgantown, WV 26501-7209
 14975860 +E-mail/Text: Bankruptcy.notices@tax.state.oh.us Dec 11 2019 03:19:08
 Ohio Department of Taxation, Bankruptcy Division, P.O. Box 530, Columbus, OH 43216-0530

District/off: 0315-2

User: gamr
Form ID: 149

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Total Noticed: 49

Date Rcvd: Dec 10, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14940619 E-mail/Text: Bankruptcy.notices@tax.state.oh.us Dec 11 2019 03:19:08 Ohio Dept of Taxation,
Attn: Bankruptcy Division, P.O. Box 530, Columbus, OH 43216-0530

14946319 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Dec 11 2019 03:18:25
Pennsylvania Department of Revenue, Bankruptcy Division P O Box 280946,
Harrisburg PA 17128-0946

14940626 +E-mail/Text: bankruptcydepartment@tsico.com Dec 11 2019 03:19:08 Transworld Sys Inc/51,
500 Virginia Dr Ste 514, Ft Washington, PA 19034-2733

14940627 +E-mail/Text: bankruptcydepartment@tsico.com Dec 11 2019 03:19:08 Transworld Sys Inc/51,
Attn: Bankruptcy, Po Box 15618, Wilmington, DE 19850-5618

TOTAL: 17

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Commonwealth of Pennsylvania, Department of Revenue
cr PENNYMAC LOAN SERVICES, LLC
14972375 Mack Financial Services, a division of VFS US LLC
cr* +Duquesne Light Company, c/o Bernstein-Burkley, P.C.,
707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945

14940591* +C. Tindell Transportation, LLC, 3400 Tuscarawas Road, Beaver, PA 15009-9151
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14940594* +C. Tindell Transportation, LLC, 3400 Tuscarawas Road, Beaver, PA 15009-9151
14940595* +C. Tindell Transportation, LLC, 3400 Tuscarawas Road, Beaver, PA 15009-9151
14940596* +C. Tindell Transportation, LLC, 3400 Tuscarawas Road, Beaver, PA 15009-9151
14940597* +C. Tindell Transportation, LLC, 3400 Tuscarawas Road, Beaver, PA 15009-9151
14940598* +C. Tindell Transportation, LLC, 3400 Tuscarawas Road, Beaver, PA 15009-9151
14940599* +C. Tindell Transportation, LLC, 3400 Tuscarawas Road, Beaver, PA 15009-9151
14940600* +C. Tindell Transportation, LLC, 3400 Tuscarawas Road, Beaver, PA 15009-9151
14940601* +C. Tindell Transportation, LLC, 3400 Tuscarawas Road, Beaver, PA 15009-9151
14940611* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,
PHILADELPHIA PA 19101-7346
(address filed with court: Internal Revenue Service, PO Box 804522,
Cincinnati, OH 45280-4522)

14940613* +Lisa Tindell, 3400 Tuscarawas Road, Beaver, PA 15009-9151
14940628* ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229
(address filed with court: US Bank, Po Box 5227, Cincinnati, OH 45201)

14940629* ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229
(address filed with court: US Bank, Pobox 5229, Cincinnati, OH 45201)

TOTALS: 3, * 16, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 12, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 10, 2019 at the address(es) listed below:

Christopher M. Frye on behalf of Debtor Christopher C. Tindell chris.frye@steidl-steinberg.com,
julie.steidl@steidl-steinberg.com;todd.steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;cgo
ga@steidl-steinberg.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-steinberg.com

Christos A. Katsaounis on behalf of Creditor Commonwealth of Pennsylvania, Department of
Revenue RA-occbankruptcy5@state.pa.us, RA-occbankruptcy6@state.pa.us

James Warmbrodt on behalf of Creditor PENNYMAC LOAN SERVICES, LLC bkgroup@kmlawgroup.com

Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com

Kevin M. BATTERY on behalf of Creditor U.S. Bank National Association kbattery@rascrane.com

Kristen Wetzell Ladd on behalf of Creditor Citizens Bank of Pennsylvania kladd@utbf.com,
mfraney@utbf.com

District/off: 0315-2

User: gamr
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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system (continued)

Lauren Berschler Karl on behalf of Creditor U.S. Bank National Association lkarl@rascrane.com,
lbkarl03@yahoo.com
Office of the United States Trustee ustpreregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteewdpa.com

TOTAL: 9